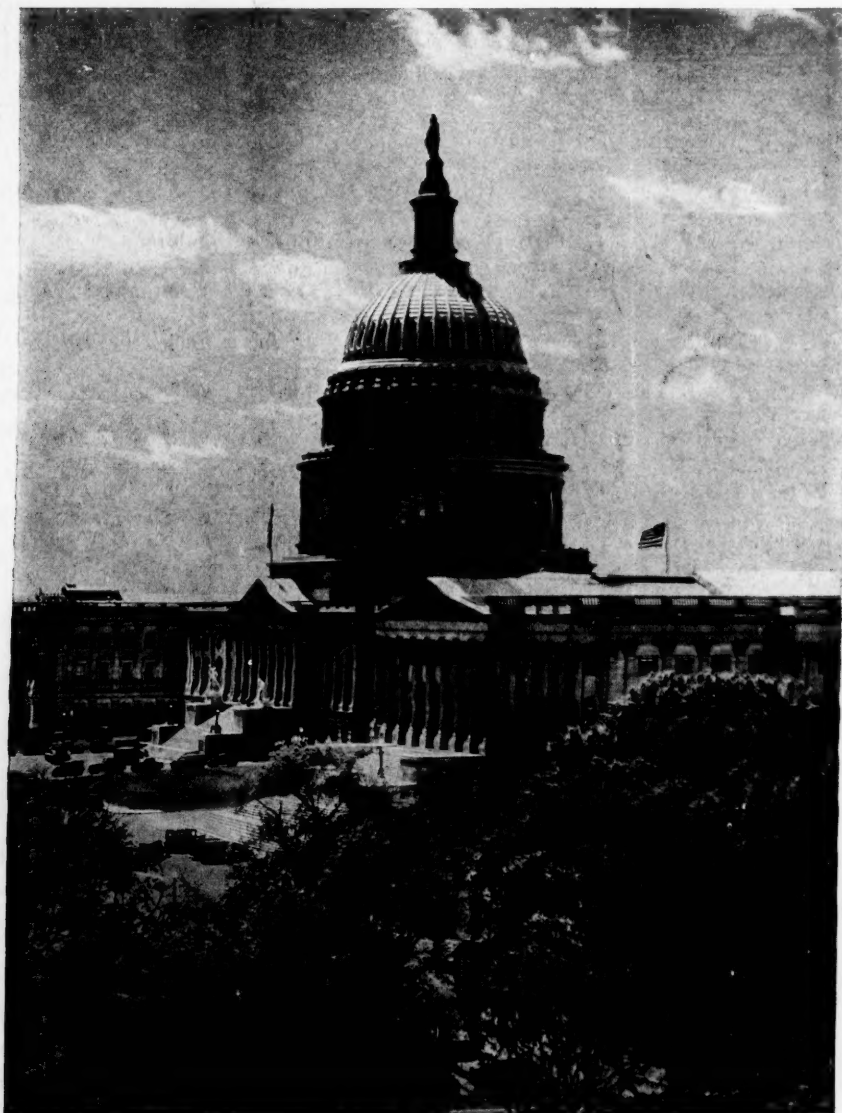


# LIBERTY

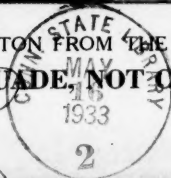
A MAGAZINE OF RELIGIOUS FREEDOM



EWING GALLOWAY, N. Y.

THE CAPITOL AT WASHINGTON FROM THE SENATE OFFICE BUILDING  
**CHURCH SHOULD PERSUADE, NOT CHRISTIANIZE BY FORCE**  
TWENTY CENTS A COPY

WASHINGTON, D. C.



# Religious Liberty Association

## DECLARATION OF PRINCIPLES

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

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# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

VOL. XXVIII, NO. 2, SECOND QUARTER, 1933

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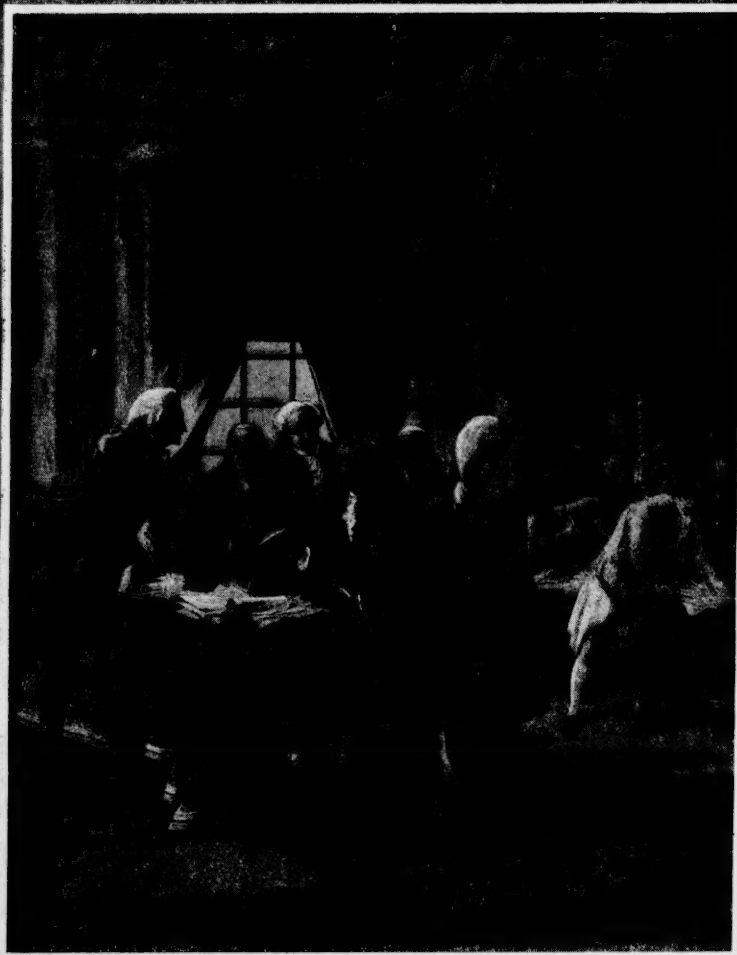
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C. E. A. DUMARESQ, ARTIST

"DEMOCRACY MAKES ERRORS. IT PICKS THE WRONG MEN. IT OFTEN PUNISHES UNJUSTLY, OFTEN REWARDS UNJUSTLY. IT MAY BE SWAYED BY MOB EMOTIONS AND DO HARM. BUT IN THE LONG RUN IT IS THE ONLY GOVERNMENT IN THE HANDS OF WHICH HUMAN LIBERTIES ARE [REASONABLY] SAFE."



FREDERICK DIELMAN, ARTIST

## Technocracy versus Democracy

By C. S. Longacre

**T**ECHNOCRACY, or government by technicians, has received considerable recognition by the public press, and has been highly recommended in some quarters as a panacea for the present national and international problems which are distressing all governments. It is claimed that our present system and science of government by the people has proved a failure, and that experts in economy and in the science of government are needed to lift us out of the slough of financial despondency. The chief critics are a few university professors of economy and of the social sciences. They find fault both with the present system of government and with the way it is administered by what they call "novices" and "inefficient servants" chosen by the people. What is needed is technocracy in place of democracy.

This all sounds very well in these distressing and perplexing times when



everybody is hoping for something better than what we have had for the last three years. It does not take a technician or technocrat to point out defects and mistakes in our present administration of public affairs. Any simpleton is capable of criticizing public officials and of pointing out their mistakes and shortcomings after they have been made. We all know that public expenditure is out of all proportion to public income, and we also know that public taxes must be reduced, or something serious will happen to our public officials. It is very easy for these technicians and economy experts in our universities to stir up dissatisfaction and resentment against our present system of government in these days of unrest and discontent, and make the public believe that technocracy is superior to democracy. But before we swallow this technocracy, hook, line, and sinker, as

a panacea for all our ills, let us consider first the results that would follow the swallowing. Let us not be like the foolish fish that gets caught, and does his thinking when it is too late.

#### Experts Necessary

We all believe in experts. We go to an expert optician when we want our glasses adjusted to our sight, but we don't want the expert to do the seeing for us. We go to an expert surgeon when we want an operation upon our stomach, but we don't want him to chew our food for us. We go to an expert automobile mechanic when we want an important piece of repair work done on our limousine, but we want to run the limousine ourselves. The people are willing to ask the experts for advice, but they are not willing to allow the experts of economy to pull the purse strings. To allow the experts to hold the purse strings is to surrender our own individuality and independence.

To allow the experts of economy and the technocrats of political science to run the government because of their pretended superior knowledge, is to throw democracy to the winds, and substitute an oligarchy of intelligentsia in its place. Undoubtedly, the technocrats would be delighted with such a substitution; but are the American people ready to deliver their government, bag and baggage, to the technocrats, and let them run it according to their pretended superior wisdom in economics and in political science? Are the American people willing to abolish government of the people, by the people, and for the people, and return to the age-old system of an oligarchy or a government by the few of the privileged class?

The oligarchs of ancient times ruled by virtue of their claim to superior knowledge in the science of government. At first the oligarchies were regarded by the common people as preferable to the absolute monarchies, but the improved condition was of short duration. The helpless populace soon discovered that an oligarchy could be just as oppressive

as a tyrannical monarchy. The oligarchy realized that its future security depended upon the maintenance of its superior wisdom in all public affairs and in general knowledge, and in keeping the people over whom its members ruled as ignorant and superstitious as possible. Hence a general education of the masses was always discouraged by an oligarchy. Only private schools for the few who were to run the government were sanctioned, and the rest of the people had to pick up what knowledge they could. The common people knew no better than to submit to their superiors. Even religion was under the control of a religious oligarchy, and this self-appointed hierarchy kept the people in ignorance and under the power of superstition until the Renaissance broke, in large measure, their power.

When the people began to drink at the fountain of knowledge, and public enlightenment became general, the absolute monarchies and oligarchies were doomed. The people began to rule themselves and set up their own standards of human rights. From that day civilization took on a new aspect. Inventions revolutionized the standards of living. Life had a new meaning. Every man sought the greatest gift every human heart craved—liberty. That precious boon was not fully realized until the world was blessed by a government of the people, by the people, and for the people.

Before the World War, Germany was ruled by a military technocracy. Today Japan is controlled by a similar military technocracy. Since the days of Lenin, Russia has been ruled by a few economic technicians. Does the United States want this or any other kind of technocracy?

The technocracy which is threatening this country has already been weighed in the scales of public opinion and found wanting. Even some of its most ardent enthusiasts have abandoned the movement, and are ashamed that they were ever identified with its un-American principles. Its leading advocates hoisted themselves by their own petard

when they were given sufficient latitude to display their own folly.

When the technocrats were requested to diagnose the present financial dilemma of the world and furnish a remedy to cure its ills, they came forward with the following solution: They said, in substance, that the present financial panic was brought on by an extension of credit through our financial credit systems, and that cure was the denial of credit to those who asked for it.

Let us analyze this wisdom of the technocrats. It amounts to this: If you never created any debts, you never would owe any debts and would never have to pay any debts. In other words, if a man never married, he never would have any matrimonial troubles, nor any necessity to apply for a divorce. All this sounds very logical, but hard logic has hung many an innocent man. Our logic must be tempered down by applied common sense.

Is it true that the extension of credit is the cause of financial failure? That depends upon the amount of credit extended, the amount of security offered, and the character of the individual to whom the credit is given. To illustrate the difference between good and bad credits, we will cite two individuals, both contractors. One was a common laborer, who had learned the carpenter's trade. He had native talent, and soon learned how to paint and plaster also. He saw an opportunity where he could make money if he had money, but he had none. He went to a real estate man and told him if he would let him have a lot and

give him a loan of \$3,000 to build a bungalow on it, he could make \$1,200 profit, and he would not only pay for the lot, but give the real estate man half the profits besides. The credit was extended and the agreement entered into. This carpenter went to work. He

built the house all by himself, and when he sold it he showed a gain of \$1,500 instead of \$1,200. On the same basis of credit extension he built three more houses. By this time he had a working capital of his own of \$3,000. After that he financed his own business, and very soon had a working capital of \$20,000.



## **MEN PROPOSE TO CHANGE OUR FORM OF GOVERN- MENT WHO DO NOT KNOW WHAT THE PLAN WAS WHICH OUR FOREFATHERS ADOPTED.**

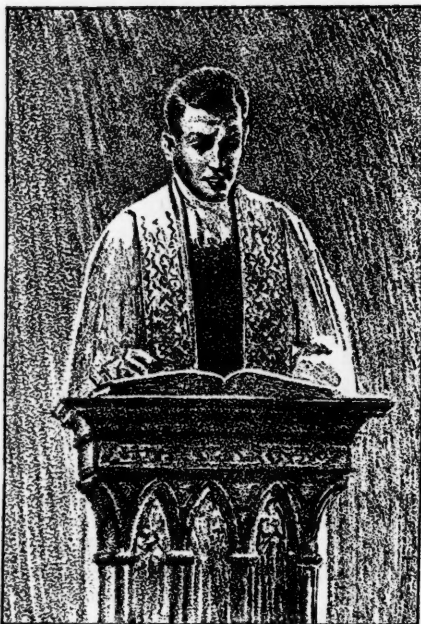
Henry L. Doherty.

Now we come to our second contractor. He was a university graduate. He had finished a course in architectural drawing and planning. He was a first-class technician in the art of building. When he came home from the university, he learned how the contractor we first described started from nothing and earned \$20,000 in the building business. He likewise had no money. He essayed to repeat the experiment. He succeeded in obtaining a credit extension from the same party, on the same basis. Being a university graduate and a technician, he must boss the job and have others do the work. He must have an office with the latest equipment. He sat in his swivel chair and bossed the job. When it was finished and the bungalow sold, instead of showing a gain of \$1,500, the books revealed a loss of \$300.

The difference between the gain of the first contractor and the loss of the second is accounted for by what happened

*(Concluded on page 56)*





## Church Should Persuade, Not Christianize by Force

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**Lutheran Pastor Holds  
Religious Legislation  
Un-American, and Also  
Against the Principles  
of His Church**

**A**T a public hearing before the Oil City (Pennsylvania) council, held January 5, 1933, a large number of citizens appeared, protesting the proposed enactment of an ordinance banning amusement and innocent recreation on Sundays, and made an earnest appeal to the city council to permit a city-wide referendum upon the question. Considerably over 2,000 qualified electors signed a petition protesting the enactment of the contemplated Sunday observance ordinance.

Among those who spoke in opposition to the proposed Sunday observance ordinance was the Rev. H. Bielenberg, pastor of the Christ Evangelical Lutheran church of Oil City. According to the *Oil City Blizzard*, the Rev. Bielenberg "declared that in his opinion the entire question was apparently predicated upon a religious aspect, and that . . . any attempt to enact religious legislation constituted a most dangerous practice."

The *Oil City News-Herald* quotes him further as follows:

"In the first place, my appearance before the council was not on behalf of the operation of Sunday movies. I stated at the outset that I held no brief for theaters and movie houses. My appearance was meant solely to point out the dangers of religious legislation, which is class legislation, and to make clear the position of our church, which has its convictions, but has never tried to force any one into believing as we do. It is, in my humble estimation, a deplorable situation when the churches of Christ who feel that they ought to keep Sunday, try to force every one else to do the same thing, regardless of their conviction. It is thoroughly un-American. . . .

"My plea is this: Let us respect each others' convictions. If you are so inclined, try to make your convictions my convictions by persuasion, but let us desist from forcing, coercing, legislating people into our position, if we feel that the gentle art of persuasion yields no results. As for me, I still want to be able to sing, 'Sweet Land of Liberty,' liberty for myself, and even for those who do not happen to agree with me. When the church has to hide behind the skirts of officialdom, it is a sign that the youngster is weak and sick."

We quote again from the *Blizzard*:

"It is his opinion that the power of the church should be limited to one of persuasion, and not an attempt to Christianize by force. 'It is folly,' he said, 'to attempt to ram Christianity down a man's throat. It is not the duty of the church to prohibit or force, but to give new motives, new spirit, and new loyalties to man.'"

"Reverend Bielenberg voiced his opposition to any attempt 'to legislate man into the kingdom of God.' He declared that it was his belief and his practice, as well as the practice of his church, to work upon the heart of man, and not attempt to force an opinion through legislative means. 'Once a man's heart is won, you have won the man,' and you can open all the picture shows you want to on Sunday, and he will not go."

Reverend Bielenberg quoted at some length from the Augsburg Confession, still the official confession of the Lutheran Church, showing that the church does not believe that there is any Scriptural authority for Sunday observance.

"That is my position," continued Mr. Bielenberg [we quote from the *News-Herald*], "and the official Lutheran position on the Sunday question. But even if we felt in duty bound to keep the Sunday, we would consider it a grievous mistake to legislate this fact into the laws of the land. . . ."

"Let no one think that our church teaches lawlessness, or places no emphasis on the evil character of sin. We do not advocate the indulgence of the flesh. . . . We worship our God on Sunday, while opposing Sunday laws. Laws cannot make me worship, and laws cannot keep me from worshiping. I prize the old adage: 'He governs best who governs least.'"

"The Saviour said: 'If ye love Me, ye will keep My commandments.' My aim has always

been to bring a man to love Christ, and he will naturally, freely, cheerfully, keep His commandments."

After the Oil City council passed the Sunday observance ordinance prohibiting amusements for pay on Sunday, the Reverend Bielenberg wrote a letter to the editor of the Oil City *Derrick*, published January 19, as follows:

"Anent the subject of Sunday amusements for pay, I have a few questions which still puzzle me. I notice that the city council has passed this prohibitory ordinance, which, we are assured, will safeguard the future of our schools, churches, and politics.

"1. Why or how can amusements for pay corrupt our town, while the same performance

(Continued on page 56)

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*The Confession of Augsburg, the most important Protestant statement of belief drawn up during the Reformation, according to the Encyclopedia Britannica, was presented to the emperor Charles V at the Diet of Augsburg, June 25, 1530. Melancthon compiled the apology, later called a Confession, based on articles previously drawn up by Luther. It has become the classical statement of Lutheran doctrine, and is in effect the official creed of the Lutheran Church.*

*The 400th anniversary of the signing of the Confession was celebrated at White Plains, N. Y., on October 27, 1930.*

=====



Charles V Presiding at the Diet of Augsburg

# Views of a Baptist Minister on the Sunday Law Issue

**REV. DR. ARTHUR C. BALDWIN**, pastor of the Chestnut Street Baptist Church of Philadelphia, wrote a letter to the editor of the *Philadelphia Public Ledger*, which appeared January 31, 1933, as follows:

"SIR: As a churchman and lover of the real Christian Sunday, I am hoping that the present archaic Sunday laws in Pennsylvania will be changed by the legislature.

"This is not because I want an open Sunday. I consider that to be a real peril. I do not believe that this nation can give up religion, its worship, quiet, and rest without a great irreparable loss. I urge a right observance of Sunday openly, and wish to use all the influence I possess to promote the observance of a quiet, helpful day.

"The right sort of Sunday, however, can only come from the development of an inner spirit. We do not do well to rely on the state for that which only religion in the heart of man can produce. I favor a liberalization of our Sunday laws for the following reasons:

"First, because we don't any of us obey the laws as they are. It is time for church people to do some clear thinking on this subject. We know that the literal enforcement of the old laws is impossible. We ourselves do not heed them, nor do we intend to try. Remembering our own behavior, the less we church people say about these Sunday laws, the better.

"Second, because the changes of living since 1794 from country to city and from hand to machine labor make imperative a new interpretation of Sunday duties and privileges. We who want a quiet day have our rights to this quiet and should be protected. Others who wish to use the day differently have their rights also. Things that are lawful in themselves and do not interfere with others' rights, should not be prohibited on religious grounds. This means a religious freedom for the individual which we should not invade.

"Third, because it has always been an unwholesome thing for the church to rely on the secular arm to do the work which it ought to do itself. The inner control, the law of the heart, represents the means by which social and public changes begin. Where there is this private conscience, the laws go on to express them. When personal convictions are gone, the law becomes a shell and a mockery. The State laws no longer represent the public conscience.

They are more than outdated. They are a burden upon our liberties. As churches, I think we had better begin again where laws begin, that is, with the people."

When a certain number of militant ministers threatened to oust Mayor Moore of Philadelphia, in 1920, because he opposed their Sunday enforcement program, the Reverend Baldwin was quoted in the *Public Ledger* of November 29, 1920, as saying:

"Religious observances should not be enforced by laws. If we Christians can do this, we should not deny that the Jews may do it with Saturday, or Mohammedans, if there were enough of them, with Friday. But that would soon be persecution for somebody. There should rather be a separation of church and state. . . . Let each use the day according to his conscience and with liberty so long as he does not interfere with another's rights. . . . Give us a movement within the churches to put more into the day, more faith, love, and devo-





tion. We shall not redeem it by making it a vacuum. Not laws, but Christian conscience is the remedy. Only as the day means more to us will it mean more to the world."

We do not often find a minister who is in favor of Sunday observance but opposed to Sunday laws. Dr. Baldwin evidently belongs to the old-time Baptist school, which was most strenuously opposed to all forms of religious legislation on the part of the civil government. Many Baptist ministers have lost sight of these fundamental principles underlying liberty of conscience as held by the early Baptists, and joined hands with those who favor compelling everybody to observe Sunday after the notion of the strictest sect of the Pharisees. We rejoice that there are still a few ministers left in every denomination who have a clear vision of the true principles of Christianity as well as the great ideals of true Americanism.

C. S. L.

### Maryland Still Requires a Religious Test

THE Washington *Evening Star* of December 27, 1932, carried a dispatch from its Baltimore correspondent, telling of a questionnaire sent out by Judge Eugene O'Dunne to several thousand persons presumably eligible for jury service. The questionnaire contained this query:

"Article 36 of the Maryland Bill of Rights (constitution) requires as eligibility of juror that he believe in the existence of a God and the belief in moral accountability for acts of the individual, and that he believe in the doctrine of reward or punishment for his acts either in this world or the world to come. Do you subscribe to all of the above beliefs? Answer 'Yes' or 'No.'"

Hundreds answered "No" to the judge's question, and thus debarred themselves either as witnesses or jurors.

To show how men who seek to break all the fetters of religious bondage in purely civil affairs and endeavor to provide complete liberty for all men in matters of religion, may nullify their own

efforts, it might be well to quote all of Article 36 of the Maryland Declaration of Rights (constitution).

"Article 36. That it is the duty of every man to worship God in such manner as he thinks most acceptable to Him; all persons are equally entitled to protection in their religious liberty; wherefore, no person ought, by any law, to be molested in his person or estate, on account of his religious persuasion or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace, or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights; nor ought any person to be compelled to frequent, or maintain, or contribute to, unless on contract, any place of worship or any ministry; nor shall any person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious beliefs, provided he believes in the existence of God, and that under His dispensation such person will be held morally accountable for his acts, and be rewarded or punished therefor in this world or in the world to come."

It would be difficult to find a clearer enunciation of complete religious freedom than that which is contained in the first part of this article. With all that it says we are in hearty agreement. We subscribe unreservedly to that portion which declares that no "person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious belief," but we utterly fail to approve the provision which declares that one to be a competent witness or juror must believe in the existence of God and future rewards and punishments. This imposition of a religious test is directly contrary to all the laudable provisions in the article. Strictly followed, this would prevent an atheist from bearing testimony, even though he had been an eyewitness to a murder. It is not difficult to conceive of circumstances where the gravest injustice might be perpetrated upon the unbeliever himself or upon one for whom his testimony would be of prime importance.

While it is impossible for us to understand how any one can doubt the existence of God, in the interest of truth we freely admit that among our friends there are sincere doubters whose word is

(Concluded on page 56)



## Pastor Favors Repeal of All Sunday Laws

**T**HE Hyattsville (Maryland) *Independent*, of January 13, 1933, in a news item concerning a public hearing before the city council on the proposition whether the Sunday blue laws of Maryland ought to be liberalized or repealed by the legislature, granting such powers to the city council as will enable them to do the same after receiving a mandate from the people under a public referendum, gave an interesting report of the hearings as follows:

"That Sunday laws ought not merely to be liberalized, but definitely wiped off the statute books, was the view presented to the Hyattsville City Council last Monday evening by Francis D. Nichol, pastor of the Hyattsville Seventh-day Adventist church. All Sunday laws are religious and contrary both to the teaching of Christ and to the principles upon which the American government was established. Mr. Nichol presented a petition signed by the members of the Hyattsville Seventh-day Adventist church, reading as follows:

"We hereby respectfully petition your honorable body to take such steps as are necessary to afford the people of this town the opportunity to vote by way of referendum upon the question of the repeal of the Sunday blue laws of Maryland. We thus petition because we firmly and devoutly believe that Sunday laws are wrong in principle in that they violate the fundamental tenet of the separation of church and state."

"Mr. Nichol, in presenting his views upon the Sunday law repeal, said:

"I find myself in the very unusual position of being the only pastor in Hyattsville who is on the repeal side of the Sunday law question. At the same time, I am the pastor of the only church in this community whose membership, as a body, does not believe in attending movies on any day of the week. It is therefore, evident, at the outset, that no desire for amusements and no possible connection with commercial interests can be attributed to me as a Seventh-day Adventist minister in opposing Sunday laws. The petitions on the other side of the question, which have been read to the council, concern themselves simply with the "liberalizing" of the Sunday law as regards movies. I am not interested in liberalizing the law. Believing that Sunday laws are wrong in principle, the only consistent position I can take is to petition for their repeal.

"I believe they are wrong because they violate the great principle enunciated both by Bible writers and by the founding fathers of this country—the principle of the separation of church and state. In the centuries before the United States Government was established, church and state were, to a greater or less degree, united in every land. And all the hardships and persecutions to which religious minorities have been subjected through the centuries have resulted from such a union of church and state. When the religious majority in a state are able to register their beliefs on the statute books and can employ the arm of the law in support of their views, persecution, to a greater or less degree, inevitably follows. This is not a theory regarding government; it is a sad fact of history, written in tears and blood in the annals of all religious minorities. Some of the very denominations whose opposing petitions you have heard tonight were, in centuries

past, among the religious minorities who thus suffered.

"It was a new thing for the world to hear the founders of a nation declaring that the state has no right to legislate upon matters of religion and conscience. But just such declarations were vehemently made by Washington, Jefferson, Madison, and others.

"But while our Federal Government was so clearly established on this principle of the separation of church and state, the matter was somewhat different with the original colonies. Many of them had their beginnings about 150 years earlier, and had brought over with them from the old country the view of the union of church and state. Singularly enough, numbers of the early settlers had fled from the old country because they could not worship God as their conscience dictated. Yet they did not see that the only lasting guaranty of religious freedom was to dissolve the church-and-state union.

"Sunday laws are a choice illustration of the religious legislation that formerly covered a wide field of conduct. In fact, in this country they are about the only definitely religious statutes that have come down to us. The early Sunday laws made no attempt to conceal their obviously religious character. The first Sunday law in Maryland opens thus: "Forasmuch as the sanctification and keeping holy of the Lord's day, commonly called Sunday, hath been and is esteemed by the present and all the primitive Christians and people, to be a principal part of the worship of Almighty God, and the honor due to His holy name; Be it enacted," etc. The Sunday laws of the other early colonies were equally plain as to their religious nature. In fact, if a colonial had been asked whether a Sunday law was a religious law, he would have looked at you in amazement, wondering why you asked such an obvious question.

"As the principles of the separation of church and state have, to an increasing degree,

permeated society through the years, the confessedly religious reason for the enactment of a Sunday law has been dropped out of the revised codes; but they are religious laws just the same. No one with any knowledge of the history of Sunday legislation would attempt to argue that Sunday statutes, even in their more restrained language today, are not religious laws. And it is because they are religious that I protest against them. The state ought not to be in the business of regulating religious conduct; the church ought not to ask for such aid. Both the church and the state suffer when any such partnership is effected. The church ought to rely, not on the arm of the law, but on the arm of the Lord for aid in advancing its cause.

"It is true that the spirit of the times holds back, to a great degree, the evil effects that would logically come from a consistent enforcement of Sunday laws. But as long as such laws exist they are a potential source of danger, and always provide a weapon for some intolerant individual. It is only a short time ago that a member of my denomination, living not many miles from here, was arrested for doing a little repair work in his house, painting some windows, on Sunday. He had kept "the seventh day" as God requires in the Sabbath command, and with clear conscience went to work on Sunday. But some one who believed differently took advantage of this Maryland Sunday law and had the man arrested. He spent five days in jail. His only crime was that he had violated a religious law.

"I do not believe that such a law ought to be on the statute books. It can serve only as religious laws have ever served in the past, to provide a weapon for intolerance."

The Maryland Legislature during a previous session granted the privilege to the city council of Baltimore to liberalize the Maryland Sunday blue laws upon

(Concluded on page 57)



## SOUL LIBERTY

*Calvin P. Boltman*

Think not to shackle mind or heart:

The thought's as free as bird on wing.  
And love to God is not controlled  
By law nor chain nor other thing.

Man must be loyal to himself.

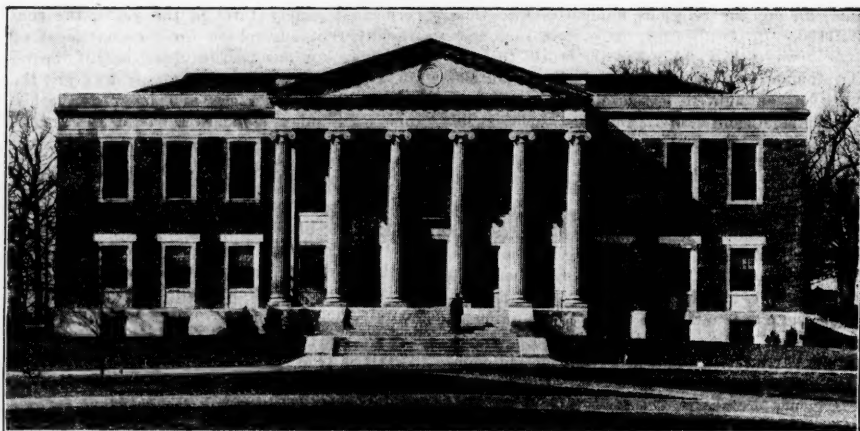
Which means he must to God be true.  
In whom he lives and being has.  
To whom alone his all is due.

Religion's not a legal thing.

It's not a form to be observed:  
It's that which binds our hearts to God.  
And brings us blessings undeserved.

O no, the heart cannot be bound.

Except by cords of love divine.  
Each soul must for himself declare.  
O God, my heart of hearts is Thine.



Library Building, University of Maryland

## Natural Rights and Educational Privileges

**A** SHORT time since, two students at the University of Maryland were dismissed for refusing, because of conscientious convictions, to take part in the military drill which is required of students in the first two years of their work in the university. One of these young men, Ennis H. Coale, son of a farmer of Churchville, Maryland, appealed his case to the courts. A very interesting decision has been rendered by Judge Joseph N. Ulman, of the superior court, the account of which, as given in the *Baltimore Evening Sun* of January 24, 1933, follows:

"If religious conscientious objectors are excluded from their State-supported university except upon pain of relinquishing their religious beliefs and principles, then a religious test has been imposed as a condition of their enjoyment of its educational privileges," Judge Ulman ruled.

"A major point in the defense offered by the university through Willis R. Jones, deputy attorney-general, had been that the university

### Court Upholds Boy's Conscience in Refusing Military Drill in Maryland University

did excuse from military training members of the Society of Friends, recognized as conscientiously opposed to military activity, but did

not feel that Coale, a member of the Methodist Episcopal Church, could claim exemption on that ground. Of this Judge Ulman said:

"It is clear to the court that such exemption, coupled with a refusal to grant a full like exemption to Coale, constitutes an illegal discrimination against him. In argument, the learned deputy attorney-general suggested that if there is such discrimination the remedy lies not in granting a like exemption to Coale, but in prohibiting such exemptions in the future to Friends, and cited a decision of the court of appeals said to support the proposition.

"When this argument was made orally, the court took it to be an overzealous and unconsidered statement of trial counsel.

"But the same argument appears on the brief filed with the court. Therefore, it is deemed proper to say that the exemption granted by the university to members of the Society of Friends is not a matter of grace, but a matter of right, resting upon the fundamental law of the State and nation.

"Though it seems to be thought commonly that the Society of Friends is unique in this regard, Mr. Edward Needles Wright lists no

less than twenty-six sects in the United States whose members subscribe to similar religious views. These citizens are entitled to full protection in their religious liberties as guaranteed by the Federal and State constitutions.'

"Reviewing the testimony offered in the lengthy hearings in the superior court, Judge Ulman recalled that Coale had been for years a regular attendant at church services and active in church work. When Coale presented himself for enrollment at the university last fall, he called on President Raymond A. Pearson and asked to be excused from the required military training. He told Dr. Pearson, the jurist said, that he had conscientious scruples against war or the preparation for war, and that he could not take such a course as a member of the Methodist Episcopal Church and the Epworth League, 'which is against compulsory military training.'

"The testimony of both Coale and President Pearson makes it abundantly clear that Coale's demeanor throughout these interviews was quiet, dignified, and respectful," Judge Ulman said.

"The student, however, was suspended from the university.

"Concerning his findings, Judge Ulman said this:

"The petitioner is a "religious conscientious objector." An analysis of the resolution of the Methodist Episcopal Church adopted in 1932 and a comparison of said resolution with the quotation from the Book of Discipline of the Society of Friends reveals no essential difference between the religious tenets of the Society of Friends and the Methodist Episcopal Church on this question.

"Both leave to the conscience of the individual church member the manner and degree of his personal adherence to the established tenets of the church.

"Under the past and present rules and practices of the University of Maryland, a student who is a member of the Society of Friends and requests to be excused from taking any and all parts of the course in military training, is so excused. The authorities of the university are willing to excuse Ennis Coale from taking certain parts of said course, designated by President Pearson and those parts of it which have anything to do with weapons, but they would require him to take certain other parts of the course. He would be required to wear a uniform, and to take part in drill on the parade ground, carrying a flag instead of a gun or rifle, and he would be given individual instruction on the position of a soldier.

"The petitioner is sincere in his religious conscientious objections. Perhaps he is fanatical. Certainly he is one of a small minority in the youth of America. Coale's testimony and his demeanor upon the witness stand are utterly convincing. His sincerity is beyond doubt.

"Except for his refusal to take any part of the course in military training, the petitioner was in all respects a satisfactory student. While President Pearson uses the word "insubordination" in connection with the petitioner's refusal to take this course, he admits frankly that with this exception the petitioner's conduct was exemplary, and that the word "insubordination" referred only to said refusal. Obviously, if the petitioner has a legal right to refuse to take any part of the course in military training, such refusal cannot amount to insubordination. Therefore, President Pearson's use of that word before the decision in this case is a perfect example of the unconscious employment of the "question begging epithet" and must be disregarded.' . . .

"The Fourteenth Amendment of the Federal Constitution and Article 23 of the Maryland Bill of Rights grant the right to worship according to one's own conscience, and the Federal appropriation to the University of Maryland as a land-grant college does not compel military training at the college to be compulsory, it was pointed out.

"The opinion said that while officers of the university had acted in the best of faith, still 'if administrative action results in the deprivation

of rights guaranteed to a citizen by the constitution and laws of the State and of the United States, then, though there is no "abuse of discretion" in an invidious sense, it nevertheless becomes the clear duty of a court to restore those rights.'

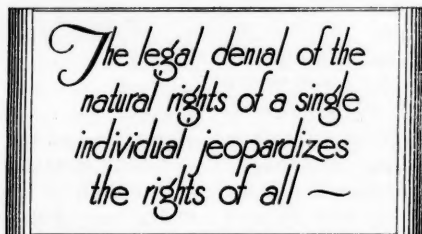
"The judge pointed out that the interven-

tion of an alleged pacifist agency on behalf of Coale, while the case was still pending before the university, had been mentioned in the hearing, but was excluded from evidence in the case as irrelevant.

"The judge said he mentioned it in his opinion because it helped to create an understanding of the sincerity of all parties in the controversy, since the intervention had incurred the displeasure of university authorities.

"Attorneys in the case will confer with Judge Ulman later today to determine the form of order which the judge will sign to carry out the reinstatement of Coale as a student."

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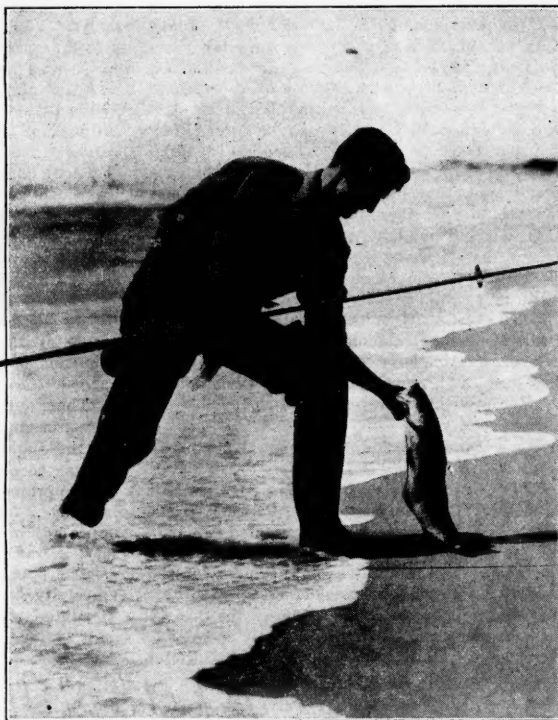


# FISHING ON SUNDAY

Is It a  
CRIME  
*per Se*  
?

**T**HERE are some States which have compulsory Sunday observance laws which make fishing a crime on Sunday. Certainly fishing on Sunday cannot be a crime *per se*, or it would be a crime on every day of the week. But is an act a crime on a particular day and not a crime on any other day? Is an act a crime when it is legitimate in its very nature? Fishing in itself is honorable. Even the Saviour of the world aided His disciples in fishing before and after His resurrection. The act itself cannot be wrong. Then why prohibit fishing on Sunday?

Some one may answer that it is a sin to fish on Sunday. It has been claimed by eminent ecclesiastical authorities that Christ met with His disciples on the first day of the week after His resurrection, when He ordered His disciples to cast the net on the right side of the ship, and they caught so many that they were not able to draw it in for the multitude of fishes. How can fishing on Sunday be a sin if Christ fished on Sunday, as is claimed? Fishing might be a sin on Saturday, because the divine law does forbid all manner of work on the seventh day, or the Sabbath of Jehovah. But there is no divine command any-



H. A. ROBERTS

where in the Scripture forbidding work of any kind on the first day of the week, so fishing cannot be a sin on Sunday.

But even if fishing is a sin on Saturday, according to the law of God, that is no reason why it should be prohibited by civil law of the state. The state is not supposed to enforce religious obligation or to punish sin. The Bible speaks of "the sin of unbelief." Does the state have a right to punish a citizen because he does not believe in religion or in God and in His providences? The Bible says it is a sin to think evil or surmise evil. It is a sin to covet. It is adultery to look upon a woman with lust in the heart. How can the state punish sin? In order to be able to punish sin,

the civil magistrate must be able to look into the heart of man, and discern and judge his motives, even though they have never been expressed. Only God can read the motives of a man's heart and judge sin.

No act should ever be punished as a sin by the civil authorities. The state should punish criminal acts only. A crime is any act which inflicts an injury upon another human being with malicious intent, or which deprives him of any of his rights unlawfully. The state can deal only with man's relationship to man, and not with man's relationship to God or religion.

All compulsory Sunday observance laws are religious because they prescribe a religious duty. Any law which prescribes a religious duty is a religious law, and therefore does not fall within the proper functions of the civil magistrate where the church and the state are separated in civil government.

For this reason we do not believe that fishing on Sunday or on Saturday should ever be prohibited by the civil authorities. A religious obligation should never be made the basis for civil legislation. When once the civil government begins to sanction a religious duty by law, it is bound to go the full length, and will ultimately enforce every religious obligation, and set up an infallible standard of religion, which will mean religious persecution and the establishment of the Inquisition for all so-called heretics. In order to avoid taking the last step in this direction, we must deny the state the right to take the first step.

The forbidding of fishing on Sunday, as a religious prohibition, may seem innocent in itself, but in it are couched the potentialities of a religious inferno when pursued to its logical conclusion. The old proverb is still true, if you do not want the body of the camel in your tent, you must not allow him to put his nose in the door.

C. S. L.

## America Has a Noble Inheritance

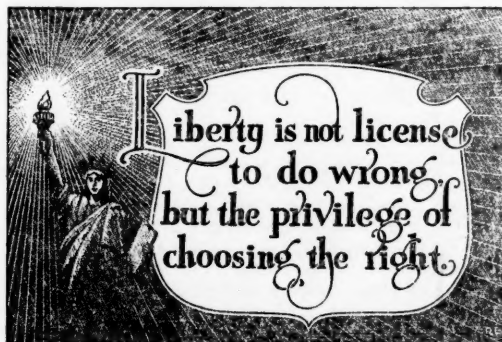
MANY thoughtful Americans are concerned over the increasing lawlessness in the United States. Some have attributed this to fundamental weaknesses in our form of government and have proposed the most radical changes. Happily, the numbers of this class are few. It is our opinion that the cause of many of the manifestations of lawlessness is not a deliberate attempt to wreck the government, but arises from a lack of appreciation of the fundamental law of the land and the cost at which our liberty was attained.

Men of many lands who have studied deeply into the various kinds of government that have existed during the world's history, have spoken without stint in praise of the American Constitution. Most people will agree that a forward step in government was taken with the rise of the American Republic. If it fails and we Americans lose our liberties, it will be because of indifference and indolence rather than because of inherent weakness in our system.

Judge Story, in his "Commentaries on the Constitution of the United States," gives a fine word of admonition:

"Let the American youth never forget that they possess a noble inheritance, bought by the toils, and sufferings, and blood of their ancestors; and capable, if wisely improved and faithfully guarded, of transmitting to their latest posterity all the substantial blessings of

(Concluded on page 57)



# RELIGION & PUBLIC SCHOOLS



H. A. ROBERTS

*The public school should have no religious creed to teach or enforce. Leave the teaching of religion to the home, the church, and the church school.*

[THOSE who believe that the American State has a definite obligation to further the interests of the church, generally have three points to their program. They seek, first, to have Christianity recognized as a part of the fundamental law of the land by having the name of Christ appear in the Constitution through the passage of an amendment; second, to have Congress and State legislatures recognize Sunday as a sacred day, and protect it by enacting penal laws to prevent its desecration; and, third, to provide for religious teaching by Bible reading, prayer, and hymn singing in the public schools.

This journal has consistently opposed all three of these propositions, not because we are opposed to any one's believing in Jesus Christ as the Saviour—we ourselves so believe; not because we object to any one's keeping Sunday as devoutly as he may desire—though we do not believe there is any Scriptural warrant for Sunday observance; not because we object to Bible reading and exposition or prayer or hymns of praise—we believe these have their proper spheres; but because we believe

all these things belong to the church and not to the state. That they have no place in civil affairs we are convinced. That to follow the program of the religious reformers in the United States would result in dissensions and lead to persecution, is easily seen by the briefest reference to the history of the past.

In this issue and the three following ones, we offer some fine statements upon sound principles concerning the teaching of religion in the public schools. These quotations are taken from a work entitled, "Religion and the State, or the Bible and the Public Schools," by Samuel T. Spear, D. D., a Presbyterian. Though Mr. Spear wrote in the last century, his reasoning is clear and cogent, and since his arguments are as sound today as they were then, we are sure our readers

will thoroughly enjoy them.

H. H. V.]

**T**HE state, by which we mean the people acting in their organic capacity through the machinery of law, should say to all the religious sects, to all anti-religionists, and indeed to all classes of citizens, that its ground as to the public schools is the one of absolute and impartial "neutrality" with reference to the doctrines and tenets of religion, whether drawn from the Bible or elsewhere; that the ends for which it exists do not include such doctrines and tenets, either as a means or an end; and that the only aspect in which it can consider Protestants, Catholics, Jews, rationalists, infidels, indeed, every man, woman, and child subject to its jurisdiction, is simply that of citizenship, without any discrimination for religious reasons. The public school is not a church, or a synagogue, or a theological seminary; but a piece of state machinery, organized and



# ON and the PUBLIC SCHOOLS

supported for purely temporal ends—as really as a court of justice, a constitutional convention, or a legislative body. Its function is not to make or unmake Christians, or predispose children to this or that form of religious faith. It does not propose a *complete* education; and does not propose a *religious* education at all, either partial or complete. It proposes to do a certain thing, on the ground of its necessity and utility to the state, and to stop there, by not entering that field which lies beyond the purview of civil government. In short, it proposes a *secular* education, and that only—an education that would be needful and useful in this life, if there were no God and no future for the human soul.

This we believe to be the true ground on which to place a school system organized and conducted by the authority of an American State. It is the proper language of the state to the Catholic, and just as proper to the Protestant, the Jew, or the

infidel. It is the one answer to be given to everybody who asks the state to use its school system for any other purpose than that of a *secular* education. To all such claimants and all such petitioners the state should turn a deaf ear, and confine its system of education within the limits of the ends for which it exists as a state. They should all be practically taught that the state will protect them in the exercise of their religious liberty, and will not on the subject of religion extend its agency the breadth of a hair beyond this point. . . .

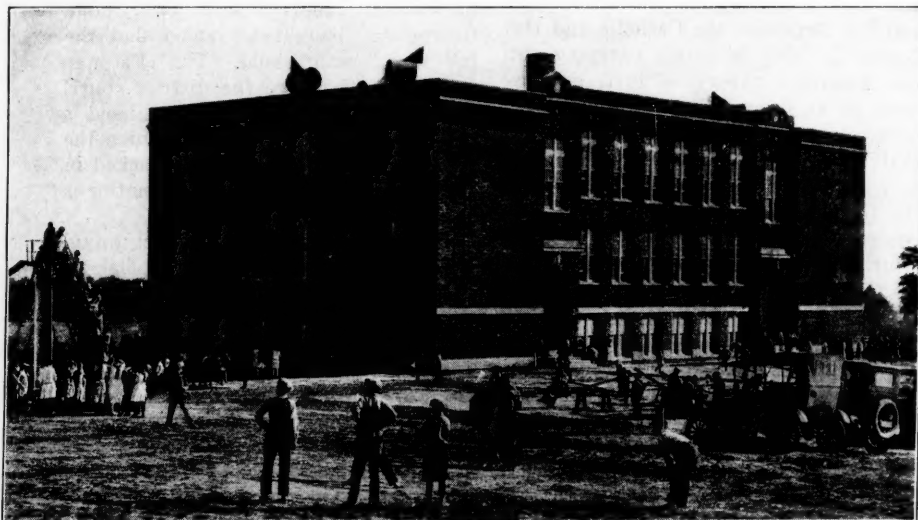
## They Object to Our Theory of Government

It may be well here to say that the objections to the doctrine urged by those who dissent from it, when traced to their final application, are simply objections to *the system of government* which the American people have chosen to adopt and under which they are now living. The objectors, in effect, find fault with the theory of a state that has no religious creed to teach,

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*The public school should show absolute and impartial neutrality with reference to the doctrines and tenets of religion, and provide for pupils of all faiths a secular education, and that only.*

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J. C. ALLEN

support, or enforce. Their argument, if good at all, is good to rehabilitate the machinery and prerogatives of a state religion. They really object to the American doctrine of a state. We do not; but heartily accept it as true, being willing, without qualification or reservation, to extend it to all its legitimate applications. As a Protestant and a Presbyterian, we have no objection to the reading of King James's Version of the Sacred Scriptures in the public schools, and should have none to the teaching of the "Shorter Catechism" there, regarding it as a most excellent compendium of Christian doctrine; yet, as an American citizen, taxed in common with all others for the support of these schools, we ask for no such tribute to our faith in distinction from the faith of the Catholic or the rationalist, and concede no such claim to any religious sect or creed.

#### A Case From Maine

The Supreme Court of Maine, in the case of *Donohue vs. Richards* (38 Maine Reports, p. 401), expressly rejected the idea that Christianity, before the law, is entitled to any higher or other privileges than those that are common to "the pagan and the Mormon, the Brahmin and the Jew, the Swedenborgian and the Buddhist, the Catholic and the Quaker." This is simply carrying out the American theory of civil government by an impartial application of its principles. Those who are not willing that an American State should occupy this position either do not understand the theory of such a State or are not content to abide by its fundamental doctrine.—"*Religion and the State*," *Spear*, pp. 52-55.

PERMISSIBLE liberty never works an injustice nor an injury upon society.

To regulate righteousness by law is unrighteous.

#### Wisconsin Makes Delivery of Bread on Sunday a Crime

LAST year the people of Wisconsin voted on a popular referendum in favor of the repeal of all the Sunday observance laws upon the statute books of the State. The majority in favor of repeal was overwhelming.

Now in the beginning of this year, the police of the city of Milwaukee started a campaign to enforce the Sunday observance law against bakers. Some forty bakers were arrested for delivering bread on Sunday to restaurants and delicatessen stores in that city on Sunday, January 29, 1933. A fine of \$10 was assessed against each baker. One of the bakers appealed his case, claiming that this Sunday law is unconstitutional in that it is discriminatory because it applies only to Milwaukee County.

The law prohibiting commercial baking on Sunday has been on the statute books for less than a year, and is just now being enforced for the first time. The law says that Sunday baking is forbidden in any county that has in excess of 500,000 population, which makes it applicable to Milwaukee County only.

When Orenstein carried his test case on the constitutionality of the law to the municipal court of Milwaukee, Judge George A. Shaughnessy ruled that the law was constitutional. The case was then brought before the district court, where Judge A. J. Hedding dismissed it with the remark that in his opinion the law was silly, and should be attacked in the State supreme court. The matter is still pending in the courts.

It seems strange that a court would uphold a Sunday law against bakers' delivering bread on Sunday for pay when it also forbids amusements for pay on Sunday, and yet baseball and movies for pay are permitted throughout the State by the police officials every Sunday. It is time that the police officials act equitably, and either enforce the entire law or none of it.

We hope the State legislature of Wisconsin during the present session will

act favorably upon the mandate it received at a recent election from the people of the State to repeal all the Sunday blue laws that are now upon the statute books of the State. The repeal of these antiquated religious laws would separate church and state and keep the church out of politics.

Let men be religious according to conscience, and not by force of law.

C. S. L.

### God Made Man Free

THE New York *Times* recently published some statements made by the Mgr. Michael J. Lavelle, a rector of St. Patrick's Cathedral, Washington, D. C., which ought to make a strong appeal to every Catholic organization which still relies upon the state for financial and legal support. Mgr. Lavelle said:

"If an endowment were proposed for the support of this cathedral that would offer a means of making its work safe, I would vote against it. Nothing tends to add to the strength and glory of character more than the fact that a church is dependent upon individual contributions."

The Rev. Dr. Fulton J. Sheen, a member of the faculty of the Catholic University of Washington, supplemented these remarks by adding:

"Freedom of choice in human conduct was in accord with the purpose of God in creating the universe. Virtue is possible only in a universe in which it is possible to be vicious. Sacrifice is possible only in those levels where it is possible to be selfish. Morality is possible only in those realms where it is possible to be unmoral.

"The world has no heroes except on battlefields where all heroes might have been cowards; the church has no saints except in those lives which might have become devils; the country has no patriots except in those causes where patriots might have been traitors.

"Triumphal arches are erected only to men who pushed on when they might have turned back; niches are filled only by the statues of those who might have transgressed, but did not; monuments are not erected to the memory of machines driven on by blind necessity.

"God willed a moral universe in order that by a right use of the gift of freedom, characters might emerge. What does God care for mere things piled into all the infinities of space, even

though they be diamonds. Is it an impeachment of God that He did not choose to reign over an empire of stones?

"This is not the only kind of world God could have made. But man must not judge an artist by what he has done, but by the purpose he had in doing it. The only way was to make man free. God had to endow man with the capacity of saying 'Yes' and 'No.'"

These are sound principles, but they have often been violated by Catholic, Protestant, Jewish, Mohammedan, and pagan ecclesiastical authorities who have relied upon the civil government for the maintenance of religious institutions, the enforcement of religious obligations, and the suppression of so-called heresy. If these principles were universally recognized by ecclesiastical, judicial, and legislative authorities, religious persecution would be forever banished from the world. But, alas! there is altogether too much reliance placed by church organizations today upon legal support in matters pertaining to religion. The Author of Christianity never intended that His teachings should be propagated or supported by legal force. The glory of religion is its sole reliance upon individual initiative and choice. Freedom of conscience in religious matters is the very essence and soul of Christianity.

C. S. L.

### San Bernardino Rejects Sunday Law

WILLIAM H. PROUTY, of Banning, California, writes as follows:

"San Bernardino, a city in Southern California, fifty miles east of Los Angeles, recently rescinded a Sunday closing ordinance for 'butchers.' The hours of closing were from Saturday evening till Monday morning for meat shops. The Sunday ordinance was enacted by the city council last fall, and it provoked a storm of protest and an initiative petition for repeal. The city council shortly afterward rescinded the Sunday ordinance. Some religious organizations appeared to be supporters of the ordinance.

"I am a reader and subscriber of your magazine, *LIBERTY*, and admire your stand on religious laws as they are enacted and administered. For your information, I am chairman of the

official board of the Banning Methodist Episcopal Church, and am glad to do what I can to oppose the so-called religious Sunday closing laws. I feel they are un-American if not ungodly."

We are glad to get this letter as well as the above information from Mr. Prouty, an official of the Methodist Episcopal Church. It shows that Sunday observers and church people do not necessarily favor compulsory Sunday observance laws enforced by the civil magistrate. Religion by law is un-American as well as ungodly. It is an utter perversion of the plan of the holy Author of Christianity. We are also glad to learn that the people of San Bernardino do not stand for any such nonsense. California repealed all its Sunday laws fifty years ago, and has resolutely resisted every effort on the part of certain religious organizations to have these religious laws put back on the statute books.

C. S. L.

### **Kansas Supreme Court Denies Injunction Against Sunday Shows**

**J**UDGE FRANK R. FORREST, of Iola, Kansas, presiding in the district court of equity, denied an injunction to the State of Kansas against a moving picture theater, in an action in which the State alleged that they were operating on Sunday in violation of the law.

The reasons Judge Forrest gave for denying this injunction were:

"First, that it is manifestly unfair to pick out one violator and let other violators of the same law go unpunished; and, second, that equity is not the proper procedure, for the reason that the State has an adequate remedy at law."

The State appealed the case to the supreme court, and the supreme court, on November 5, 1932, handed down an opinion wherein six judges affirmed the judgment of the district court and one justice dissented. The supreme court, in the syllabus, held:

"The record of an application to obtain an injunction to prevent defendants from maintaining and operating a moving picture show in its theater in violation of the statutes prohibiting the performance of labor on Sunday, and also prohibiting the sale of goods, wares, and merchandise on that day, considered, and held, that the remedy of injunction is not available to the State."

The syllabus offered by the supreme court is the law of the case in the State of Kansas.

A number of clergymen were the instigators of the prosecution in this case, and after they lost their case before both courts, they instituted a campaign of political and religious propaganda in the churches in Judge Forrest's district to defeat him for re-election to the judgeship at the recent election. But in spite of the fact that Judge Forrest is politically a Democrat and lives in a judicial district that is normally 2,000 Republican majority, he was re-elected for another four-year term.

Thus the clergymen and the many church members who carried on a vigorous campaign in opposition to Judge Forrest's candidacy for re-election because he refused to grant their injunction to close the theater on Sundays, suffered a crushing defeat. The public conscience was keener to discern the correctness of Judge Forrest's decision than was the conscience of the clergymen and their religious followers. Why violate one law to uphold another? This is exactly what the clergymen asked Judge Forrest, as well as the supreme court justices, to do.

But religious fanaticism has always proceeded along this line. Whenever it gets entrenched behind the law, it does not hesitate to trample underfoot the most sacred rights of man, and frustrate essential justice. The bloodiest portion of this world's history was enacted by religious fanaticism when it dominated the governments of earth. We are glad that there are some judges and courts in the land that are no longer controlled by religious bigots nor influenced by their threats and boycotts.

C. S. L.

## A Showdown on Blue Laws in Pennsylvania

**I**T appears that the final day of reckoning has come for the Pennsylvania Sunday blue laws. The whole State is stirred. Certain church leaders are attempting to rally the church people for a final stand to put up a stiff fight for the retention of these antiquated and obsolete religious laws. For years, these militant church leaders have dominated the majority in both houses of the State legislature at Harrisburg, but their religious strangle hold has been broken at last.

During the last session of the State legislature the religious forces realized that they were no longer able to dominate the majority in the house of representatives, and a bill was passed by the house favoring local option on the question of Sunday recreation and amusements, whether indoors or outdoors. But the church leaders succeeded in pigeonholing this bill in a senate committee. The majority of the senate are still afraid of the threat of the religious boycott at the polls. But this year it looks as if the senate might follow the example of the house, and pass favorably upon the local option bill to decide the question of Sunday recreation by local referendum.

The public generally is very much stirred up over this question. The people as a rule believe that they ought to be given an opportunity to decide for themselves the question as to whether they should be permitted to ride in an automobile for pleasure on Sunday, or to buy and read a Sunday newspaper, or to play golf, tennis, croquet, cricket, and baseball, or whether it is proper to go to a travelogue, a musical concert, an educational lecture, or a theatrical performance; or whether they should wash their automobiles or mow their lawns or dig in their gardens on Sunday. The people no longer take their religion by civil dictation. When religion is placed under the penal codes for enforcement, it can expect rough sledding

in these days. That is exactly what is happening in Pennsylvania. Religion will have rough going until it decides to get out of politics and keep out in the future.

Secular and business organizations of all kinds are lining up solidly against the Sunday blue laws of 1794, and are demanding their repeal. The United Business Men's Association of Philadelphia passed a resolution calling for a liberalization of the Sunday laws. The Philadelphia Boosters' Association at a recent meeting passed the following resolution:

"WHEREAS, The blue laws of Pennsylvania are pink to some, purple to others, and full of blues for the rest; be it

*"Resolved,* That these color-blind defenders of the blue laws of Pennsylvania either should drink deep or taste not. Let the State legislature and its police enforce it to the letter, if it is a law, or else pull down the curtain and end this farce. . . . We demand the repeal or modification of the blue laws."

If the Sunday laws of 1794 were enforced to the letter, there would be a revolution within the State of Pennsylvania inside of a month. No one would be allowed to ride in a vehicle of any kind except to and from church, or on a mission of mercy and dire necessity. Not a Sunday newspaper could be sold, bought, or read on Sunday. No singing or music would be allowed except that which was sacred. No labor or business of a "worldly" nature would be allowed. Only strictly religious acts are permissible under the present Sunday blue laws. Is it any wonder that the citizens of Pennsylvania are demanding a showdown on the Sunday blue laws? At present they are enforced only in certain localities, and then spasmodically, according to the religious fervor of those in public office. No public official has a right to decide for himself just which phase of the blue law he will enforce and which section he will ignore. Such a course of action breeds contempt for all law and authority in the public eye. It is impossible to enforce the Sunday blue law to the letter without locking everybody up in prison every Sunday.



It must not be enforced according to the whim and caprice of religious fanatics any longer. That is grossly unfair and unjust.

The only way to settle this religious issue is to settle it right. Unless a question is settled right, it is never settled. The only right way to settle a question of religious laws is to repeal them and wipe them clean off the civil statute books. But that is not the usual procedure followed by State legislatures. They usually work along the line of least resistance, and seek to reach the ultimate goal by a series of compromises between opposing factions. Perhaps as long as men are human and cater to patronage, this religio-political detour will continue. But it does not settle a religious controversy nor keep a militant church out of politics. LIBERTY believes in a complete divorcement of religion and politics, and the complete separation of church and state.

C. S. L.

### ■ ■ ■ "The Blue Laws Must Go"

THE *Pittsburgh Press* in a recent editorial under the above caption has the following to say concerning the Sunday blue laws of Pennsylvania:

"Now, if ever, is the time for Pennsylvania to rid itself of its blue laws, dustiest of all the dusty relics of reactionary legislation. They are an expression of a false philosophy of government, which holds that the individual cannot be permitted to regulate his own personal life as he sees fit. . . .

"The Pennsylvania blue laws are the very antithesis of democracy. They are an offense to the brave spirit of tolerance and religious freedom in which Pennsylvania was founded.

"We now have an ideal combination of circumstances for the repeal of the blue laws. The Pennsylvania legislature will be well-seasoned with Democrats, pledged to fulfill the hopes of the great wave of liberalism which carried them into office. And, likewise, Republican members of the legislature can scarcely fail to respond to this renaissance of liberal thought. Their party must adjust itself to the progressive pace of the times, and relinquish its reactionary alliances of the past, if it hopes to find favor with the voters of the future.

"The repeal of the blue laws is called for

not only by the political trend, but by economic conditions.

"Pennsylvanians lose a fortune each year because of the blue laws. Money which would be spent in this State finds its way into cash drawers in neighboring States where more tolerance prevails.

"That money was not missed so much in prosperous years. But depression has hammered home the economic fallacy of legislation which drives trade into other States. . . .

"The repeal of this dusty legislation would not decrease church attendance. Experience of other States has proved that.

"The repeal of the blue laws is not a moral question, except that to permit those laws to remain on the statute books is to interfere with the rights of the individual which have been the basis of all moral codes of all the ages.

"To forfeit revenues in trade to retain the blue laws is like paying taxes to support a king or any other symbol of autocratic rule.

"The blue laws must go."

The trouble is that, generally, Sunday blue laws are not repealed in their entirety by the State legislatures, but only modified. This still leaves the church in the political arena. The church has such a grip on the State legislatures that few have the courage to cut the Gordian knot and separate the church and the state entirely, and so all sorts of compromises are entered into between the church leaders and the political bosses. The Sunday observance laws are still maintained in some form, and religious freedom is still denied. We can have religious liberty only where all religious laws are repealed, and the State has nothing to do with the enforcement of religious customs and obligations.

C. S. L.

### ■ ■ ■ Newspapers Call for Repeal of Sunday Laws

NEARLY all the newspapers in the State of Pennsylvania are calling for the repeal of the Sunday blue laws of 1794. Some excellent editorials setting forth the religious aspects of the Pennsylvania Sunday law and giving reasons for its repeal have been written. We would like to quote from all these editorials, but space does not allow. The following excerpts are taken from

recent editorials in the *Philadelphia Record*:

"The *Record* has asked blue law repeal for years, irrespective of whether a liberalized Sunday means a gain or loss for the city treasury.

"The *Record* has fought for a rational Sunday because it is *wrong* to deny to a workingman the recreation he wants, on the only day he is free—recreation which rich men, with automobiles and trains at command, can have for the asking. . . .

"Today the blue law is *class legislation*, and must be repealed for that reason. It merely annoys the rich, but it takes one day a week away from the poor. . . .

"There is no reason why Philadelphia should be notorious as a city to avoid on Sunday.

"There is no reason why Philadelphia and Pittsburgh, alone among big-league cities, should be denied the national sport on one day a week.

"There is no reason why amusement enterprises in other cities should profit at the expense of our own.

"And there is no reason why a Philadelphia father should be forced to sit at home on his only free day, while his sons seek out backroom mischief, and make the curious discovery that the law, which bans clean sport, apparently does not touch gambling and drinking.

"Repeal the blue law in January when the legislature meets. There is no ground for delay."

"The blue law has been on the statute books for 138 years, since the day in 1794 when State legislators, riding into the capital on horseback from their farms and villages, adopted it. . . .

"Drop the Pennsylvania outlook for the moment, and picture the nation as a whole.

"In the last year Alabama, famed for the number of its churches, has legalized Sunday sports and amusements in three large cities. Maryland has given home rule, and, therefore, liberal Sunday, to Baltimore. Ohio has relaxed its statute.

"Remember Calvin Coolidge, certainly no emissary of evil, signing the Sunday sports bill as governor of Massachusetts. Remember Coolidge, as President, blocking a move to close theaters on Sunday in Washington, D. C.

"Consider Washington itself, capital city, ruled by rural Congressmen from the small towns of America. The same Congressmen who insisted on prohibition have always given Washington a liberal Sunday.

"Consider the mid-West and far-West States, many of which have never had Sunday statutes of any kind. In such States as Illinois, liberal Sunday is not even an issue. Yet these States are known for the high rate of church membership among their citizens. In these States

churches and decent, clean entertainment function without friction, side by side.

"Remember that the Pennsylvania workman alone is denied big-league baseball—try to find a cleaner recreation!—on Sunday.

"Propagandists incessantly din into the ears of the voter the theory that modification of the blue law would be an entering wedge for all manner of wickedness and evil.

"The truth is that Pennsylvania, second State in industries, is the last in meeting the recreation needs of its industrial workers, the last in recognizing the conditions of modern times, the last in holding to an outworn law.

"We do not ask that the blue law be repealed. We ask simply for home rule, sound principle of American government. Let communities that want the blue law Sunday retain it. Let those which do not want it be permitted, by referendum, to repeal the sections prohibiting sports and entertainment. . . .

"Home rule—there should be no question about granting it, in any American commonwealth."

Home rule or local option is good as far as it goes. But it is only a step in the right direction. As long as a religious law, or any portion of a religious law, remains upon the civil statute books, the possibility of religious persecution is always imminent. The only safe course to follow in order to eliminate the possibility of a union of church and state and the consequent religious persecution, is to wipe all religious laws and religious tests from the archives of the State. On the question of religion, the State should maintain an attitude in law of absolute neutrality. The only basis for permanent peace among religious people of divergent faiths and practices, is the equality of all religions before the civil law and the bar of justice. That means a separation of church and state in fact and not merely in theory—and a repeal of every religious law upon the civil roster.

C. S. L.

It is the purpose of the gospel to win souls for the kingdom of God. It is the province of the state to protect men in the exercise of their rights. The two spheres—the spiritual and the civil—are separate and distinct, and their legitimate operations do not conflict.

## Technocracy Versus Democracy

(Concluded from page 37)

when the one rolled up his sleeves and the other sat down in the swivel chair. That is practically the difference between democracy and technocracy. Democracy believes in doing things itself. Technocracy believes in telling others how to do things. Democracy is practical. Technocracy is theoretical. Democracy believes in granting individual initiative and liberty. Technocracy believes in denying individual spontaneity and freedom of action. Democracy believes in government by the people. Technocracy believes in government by the few technicians.

The greatest handicap which our Republic is facing today along the line of economic operation in governmental functions, is its technicians that are already fortified in bureaus and commissions which are sapping the very vitals of our financial structure. Our bureau of technicians exists to make charts, graphs, ergs, and statistics for the technicians of another bureau to mull over and formulate another set of charts, graphs, ergs, and statistics for another bureau of technicians to check up on, and so on *ad infinitum*. May the good Lord deliver this Republic from the curse of a government under the rule and domination of a technocracy, and help us get rid of a lot of our bureaus of technicians which are retarding the speed of our financial recovery and interfering with our constitutional liberties.

C. S. L.

## Maryland Still Requires a Religious Test

(Concluded from page 41)

as good as their bond. Some of these men are exceedingly careful of every statement they make, lest even an exaggeration should appear. They are known in their communities as men of the highest type. To bar such from the witness stand or the jury box because

of their convictions in religious matters, is unworthy of the great free State of Maryland, and we believe that this religious test should be wiped from its constitution.

H. H. V.

## Church Should Persuade, Not Christianize by Force

(Continued from page 39)

exhibited free of charge would be minus this corrupting influence?

"2. If no protest is lodged against movies six days a week, why or how can these same movies corrupt our future politicians, church members, and school children when shown on this one day of the week?

"3. Why is the council opposed to a referendum? Let us give Lincoln's words more than lip praise: 'This government of the people, by the people, and for the people.'

"4. Why are Sunday amusements 'against good public policy'? The best public policy, the true Christian and American policy, is tolerance for all. Fifty per cent of America's citizens are not church members. Their rights should be respected. If they want Sunday amusements, they are entitled to them.

"As for me, I'll keep preaching the gospel, and leave its acceptance up to the individual. I'll worship on Sunday whether we have Sunday movies or not."

It is very gratifying to find a minister of the gospel who has a true vision of the fundamental principles of Christianity. It is unique to find an entire denomination which observes Sunday, but does not believe in compelling everybody else to observe Sunday under duress of the civil magistrate. So far as we know, the Lutheran denomination of the Missouri Synod is the only Sunday-observing church organization that has officially gone on record in opposition to compulsory Sunday observance laws, and which admits in all sincerity that there is no divine or Scriptural authority for Sunday keeping. Would to God the State of Pennsylvania had more ministers of the gospel of the Bielenberg type; then the Sunday blue laws of that State would be short-lived. The only reason why they are retained year after year on the statute books of the State is because of a religious lobby of



political preachers which holds the majority of the members of the legislature under its religious dominance.

C. S. L.

## Natural Rights and Educational Privileges

(Concluded from page 45)

The hearing before the court lasted four days. An attempt was made by the university authorities to prove that the training was not necessary for militaristic purposes, but was simply required for good citizenship. The university authorities plan to carry the case to the court of appeals, the highest judicial body of the State.

The LIBERTY magazine believes that lovers of true liberty, whether they believe or do not believe in military training, will welcome this decision and the clear-cut statement of principles made by Judge Ulman. We heartily agree with him when he says, "If administrative action results in the deprivation of rights guaranteed to a citizen by the constitution and the laws of the State and of the United States, then it . . . becomes the clear duty of a court to restore those rights." We have no sympathy with judicial legislation, but we do have the greatest possible respect for those courts which preserve to individuals the rights guaranteed by State and Federal constitutions.

H. H. V.

## Pastor Favors Repeal of All Sunday Laws

(Concluded from page 43)

receiving a mandate from the people to do so. A popular referendum was taken, and the people of the city of Baltimore voted 5 to 1 in favor of the liberalization of the Maryland Sunday law. Persecution is still carried on under the remnants of the Sunday law that were not repealed by the citizens of Baltimore, and the only possible way to es-

tablish religious liberty for all citizens is to repeal all Sunday observance laws, and refer the question of Sunday observance back to the pulpit. If the preachers cannot maintain the observance of the day according to their notions, they have no right to enforce those notions by law upon others. If a religion cannot maintain its own cause by its own virtues, and God does not see fit to preserve it, it deserves to perish from the earth. True religion never resorts to civil force to propagate its tenets.

C. S. L.

## America Has a Noble Inheritance

(Continued from page 47)

life, the peaceful enjoyment of liberty, property, religion, and independence. The structure has been erected by architects of consummate skill and fidelity; its foundations are solid; its compartments are beautiful, as well as useful; its arrangements are full of wisdom and order; and its defenses are impregnable from without. It has been reared for immortality, if the work of man may justly aspire to such a title. It may, nevertheless, perish in an hour by the folly, or corruption, or negligence of its only keepers, THE PEOPLE.

"Republics are created by the virtue, public spirit, and intelligence of the citizens. They fall when the wise are banished from the public councils because they dare to be honest, and the profligate are rewarded because they flatter the people in order to betray them."

Millions have come to America from the Old World who have stood with heads bowed in gratitude when they were permitted to have a part in the framing of their own laws through the exercise of the franchise. Too frequently their sons or grandsons fail to appreciate their heritage. Ballot box stealing, ballot box stuffing, and election bribery come when men forget the price of liberty and treat with scorn its guaranties.

Let us all pledge ourselves to a new devotion to the Republic.

H. H. V.

REASON, unless guided by the light of truth, wanders into the dark.

## A Religion That Needs No State Aid

**T**HE following brief article, written by G. Hoffman, appeared in the *Shamrock Texan*, on the question of church and state:

"We need a religion, not merely of creeds, but of conduct. We need a religion that will develop leadership, not drivership.

"Those people who prosecuted Jesus Christ and all Christian believers were conscientious. They thought they were right. They were religious. What does Paul say about them?

"They have a zeal of God, but not according to knowledge. For they being ignorant of God's righteousness, and going about to establish their own righteousness, have not submitted themselves unto the righteousness of God."

"Jesus Christ never prosecuted anybody. When the Jews brought a woman who had violated a law and the penalty for the offense was death, they told Him that they had sufficient evidence for conviction and Moses said she should be executed. 'What are you going to say or do about this matter?' they asked.

"He told them for the one among them who was without sin to cast the first stone, and of course they all had murder in their hearts, and they all retreated, like the kaiser's army.

"Then He asked the woman, 'Where are thine accusers? Has no man condemned you?' She said, 'No man, Lord.' What was it Jesus told her? He knew she was guilty.

"Now listen, Mister Prosecutor, whatever denomination of the Christian church you may belong to, have you got the Christian spirit?

"Jesus told this poor sinner, 'Neither do I condemn you. Go, and sin no more.'

"Now, don't get me wrong. I want you to understand when I am called on to serve on a jury, I am going to do my duty. I am oath bound to render my verdict according to law and evidence. But listen, I believe in the separation of church and state.

"The Christian church is an organization to seek and save the lost.

"Laws are enacted to protect life, liberty, and property, but not to save people from their sins.

"God did not send His Son into the world to condemn the world, but that the world through Him might be saved.

"We want a religion that keeps that prosecution devil out of our hearts, and fills our hearts with love toward our wayward brothers and sisters.

"The Christian church has a great commission, i. e., to teach all nations, and baptize them in the name of the Father, and of the Son, and of the Holy Spirit.

"Jesus Christ did not commission His church to enforce the law of the land. Its commission is to seek and save the lost. Any time the preacher and his church enter into political squabbles, they are going to lose their salt.

"We have a right to take part in political affairs as citizens of our nation and State. Remember, 'Render unto Caesar the things which are Caesar's, and unto God the things that are God's.'"

"We go to the polls and cast our votes according to our conviction, not according to our preacher's conviction.

"I stand strictly for the separation of the church and state."

We are glad to know that men in all walks of life have a realization that religion by law has always been a blight upon civilization and a curse to religion. A religion that needs the support of the state to keep it from perishing, is not worth preserving.

## Inconsistencies of Sunday Law Advocates

THE official organ of the New York Sabbath Committee, entitled the *Bulletin*, in its June-July issue of 1931, approvingly published the following statement from another periodical: "This paper is opposed to any law which generally liberalizes the State's blue laws," and then this Sabbath Committee condemns in the most scathing language all those who "treat with contempt our laws and established customs." They reserve the right to oppose any law "which generally liberalizes the State's blue laws," but deny a similar right to those who oppose the blue laws. They want liberty for themselves, but not for their opponents.

Then in harmony with this selfish spirit and exclusive prerogative to dictate the religious conduct of their opponents who observe another day than Sunday as holy time, this Sabbath Committee says:

"They are perfectly free to worship on Saturday or Friday or any other day they may choose, but we must insist upon the right to do the same. They may retain their national and traditional Sabbath, and we will protect

them in its observance; but when they insist upon using our sabbath for purposes for which they would not use their own, we must say to them, *Thus far may ye come, but no farther.* The Jewish Sabbath is national and imported. The American sabbath is universal."

Here is an illustration of the bias and bigotry and intolerance of the Sunday law advocate such as few of them have had the courage to set down in black and white, even if they entertained such uncharitable feelings in their hearts. They say that those who observe Saturday "are perfectly free to worship on Saturday," even when it is acknowledged to be the biggest business day of the week and without the pale of the protection of the law; and then with an arrogant air they assert, "We must insist upon the right to do the same," relative to Sunday observance. All right! Then in order to place both the Sabbatarian and the Sunday observer on an equality before the civil law and the bar of justice, let us make Sunday a big business day of the week, and place it without the pale of the protection of the law, and let us see if these Sunday law advocates will still say, "We are perfectly free to worship on Sunday," the same as those are who worship on Saturday. That is a horse of another color, but it does place all citizens, irrespective of their religious faith, on an equality before the civil law.

Again they say they will permit the Sabbatarians to worship on the Saturday Sabbath, "but when they insist upon using our sabbath [Sunday] for purposes for which they would not use their own, we must say to them, *Thus far may ye come, but no farther.*"

How about the Sunday observer's insisting upon using the Sabbath of the Sabbatarian for purposes for which he would not use his own? Does the Saturday Sabbatarian have the same right to say to the Sunday observer, "Thus far may ye come, but no farther"? If this rule is just, why should it not work both ways? Why should the Sunday observer not show the same regard for the Sabbath of the Sabbatarian as he

insists the Sabbatarian must show for his Sunday? Who has given such a preferential prerogative to the Sunday observer when there is no law in either the Old Testament or the New commanding the observance of Sunday? Does not the divine law say, "Six days shalt thou labor"? Who are these men of the New York Sabbath Committee that possess prerogatives above the divine authority, that they feel at liberty to say, "Five days shalt thou labor instead of six. Ye must also observe Sunday as a sacred day after ye have observed the seventh day as the Sabbath"?

Is that equal and exact justice before the civil law? Is the Sunday law advocate bereft of sound judgment, of a sense of equal justice, and of charity toward those who hold divergent views on the Sabbath question?

The worst feature of this whole Sunday law program is the fact that the Sunday law advocates are unwilling to grant to their Sabbatarian brethren who observe the seventh day of the week as holy time, the same privileges and opportunities to work six days each week as they insist upon for themselves. Bigoted intolerance lies at the foundation of every compulsory Sunday observance law.

C. S. L.



## The Quaker Way

It is contrary to the religion of Quakers to call any of their brethren names, but it is related that on a certain occasion one of them said to another:

"William, thee knows I never call anybody names; but, William, if the mayor were to come to me and say, 'John, I want thee to find me the biggest liar in all Philadelphia,' I would come to thee and put my hand on thy shoulder and say to thee, 'William, the mayor wants to see thee.'"

A Congressman called a United States Senator an "unadulterated liar" on the floor of the House the other day, and the Senator the next day on the floor of the Senate challenged the Congress-

man to repeat this unbecoming epithet to him privately. Perhaps the humor of the Quaker way, after all, is the better way, if Congressmen and Senators feel that they must call each other names.

### Arizona State Fair Commission Turns Down Request of Clergymen

THE Glendale (Arizona) Ministerial Association and the Ministerial Conference of Phoenix, together with other religious organizations, petitioned the State Fair Commissioners to eliminate Sunday programs at the State Fair Grounds. The Ministerial Conference of Phoenix sent the following letter to the State Fair Commissioners relative to the closing of the State Fair Grounds on Sunday:

"The Ministerial Conference of Phoenix has again named this committee to make representations to you concerning the use of State property for the desecration of the 'Lord's Day.'

"The United States is a Christian nation. The Bible says, 'Righteousness exalteth a nation.' Non-Christian nations do not and never did have a day of rest, and of worship for the true God. Under such conditions we feel that our people should take these facts into consideration. We feel that within a short time this subject will be a very live issue among the church element within the State of Arizona.

"As we feel that you have the power to abate this wrong, we are asking you to use your authority to suppress the desecration of the 'Lord's Day,' 'Sunday,' the divinely instituted 'Christian Sabbath,' by automobile and horse racing in the State Fair Grounds, at Phoenix, Arizona.

"Very truly yours,  
(Signed) C. RAYMOND GRAY,  
J. C. TREAT, and  
R. MARION GARRETT."

The Hon. Homer R. Wood, one of the three members of the State Fair Commission, at the request of the commission, sent the following answer to the Ministerial Conference of Phoenix:

"Replying to yours of March 12, I herewith, as one member of the State Fair Commission, respectfully append what I believe should be brought to the attention of your Ministerial Conference, in view of several misstatements in your letter.

"You state that this is a Christian nation. This statement was specifically denied by George Washington in a treaty negotiated by him with Tripoli, by and with the advice and consent of the then United States Senate, as Article XI of said treaty states in so many words that, 'the Government of the United States is not in any sense founded on the Christian religion.' Hence, this is *not* a Christian nation.

"Neither is it a Hindu nation, nor a Brahman nation, nor a Confucian nation, nor a Mohammedan nation, but a *free* nation, where the Shu king, the Shi king, the Yi, the Li Ki, the Khon Kiu, the Hsiao king, the Rigveda, the Samon, the Samaveda, the Yajus or Yajurveda, the Atharvan or Atharveda, the Upanishads, the Zend-Avesta, the Suttas, the Koran, the Book of Mormon, the various versions of Holy Writ, the teachings of Swedenborg, Voltaire, John Calvin, Thomas Paine, and others—all may be freely read and believed in, and their tenets practiced *without* let or hindrance.

"In fact, our Federal Constitution, in its First Amendment, specifically *guarantees* religious freedom, and *forbids* any law respecting an establishment of religion, or prohibiting the *free* exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble.

"Even assuming that this is a Christian nation, for the purpose of argument, which assumption George Washington specifically denied, by and with the advice and consent of the United States Senate, in the treaty negotiated with Tripoli; a request for Sunday observance, even among Christians, by estopping Sunday contests, would also be violative of our Federal and State constitutions' guaranty of religious liberty, for the reason that the one called upon to stop Sunday contests or amusements, or enforce Sunday closing of any place or business, is asked to decide, not *only* a question of religious difference between observers of the seventh day and Sunday, but also a question between Catholics and Protestants as to the nature of the day itself, the sanctions upon which it rests, and the manner of its observance; hence, under any religious premise, no matter how sound one may consider that premise to be, a request for Sunday closing of any place or business is a request that the fundamental law of our land, to wit, our Federal and State constitutions, be violated.

"A request for the violation of our Federal and State constitutions is a greater crime than a request for a violation of a statute law existing under our Constitution by reason of not being in conflict with it; hence, a request from your Ministerial Conference that we commit a murder would not be as great an offense as their present request that we violate the letter and spirit of the very foundation principles of our form of government, for the reason that

a request that we murder a person is aimed at the life and liberty of but one person, whereas the request of your Ministerial Conference is not only aimed at the liberty of the entire population of the United States, but at the liberty of their descendants for all time, in that, if not continuously opposed, it would not only render null and void our guaranties of religious freedom, but, as in the fourth century, would be followed by religious legislation, later, religious wars with the attendant murder of many souls, as history is fond of repeating itself under like conditions.

"It is to stop just such encroachments upon our liberty that Section 1 of the 'Bill of Rights' of Arizona's constitution as well as of all other State constitutions in the United States 'admonishes us that a frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.'"

"There are persons in this United States that stand a much better chance of approaching what is termed 'death' with a clear conscience of never having violated any moral or ethical law or rule, than the complainer that would like to force all persons to think as he does or get off of this earth. Titus, chapter 1, verse 15, states: 'Unto the pure, all things are pure: but unto them that are defiled and unbelieving is nothing pure; but even their mind and conscience is defiled.'"

"'Judge not that ye be not judged' is as true today as when first spoken by the Great Master, and the assumption of your Ministerial Conference that it is wrong to have amusements on Sunday, assumes something to be wrong that a large percentage of our free American people do not believe is wrong. While I believe in the divinity of Christ, I also believe in our Federal and State constitutions which give to all the freedom mentioned therein; and I believe that the admonition to 'render therefore unto Cæsar the things which are Cæsar's, and unto God the things that are God's,' meaning, as I take it, to obey the temporal laws of the land, is also as true today as when first spoken, and therefore, that it is not a violation of ecclesiastical law to permit our Federal and State constitutions to operate, especially, as they are the basic laws of our land.

"For the above reasons, I believe that if each person is left as a free moral agent to work out his own destiny as he sees fit, and to proceed in the even tenor of his way without criticism of those who might wish to assume autocratic control over our moral destinies, we could have greater respect for those who differ with us concerning the manner of our living. As I view the matter, it is this tendency to assume the guardianship over the lives and morals of free moral agents that is the cause of the increasing hatred of the min-

istry, a high calling, and I am sorry to learn it is being thus encouraged."

Mr. A. L. Hammond, private attorney for the Hon. Homer R. Wood, of Prescott, Arizona, in sending in this interesting correspondence, states that the other two members of the State Fair Commission acquiesced in the contents of this letter written by Mr. Wood. Mr. Wood is one of the leading citizens of the State of Arizona, and has been largely instrumental in defeating drastic Sunday observance bills introduced into the legislature of Arizona. Arizona is one of the few States in the Union which today enjoy full religious freedom, it having repealed all its former religious laws by reason of the above correspondence and Mr. Wood's influence in the State legislature. Wyoming has recently joined the grand galaxy of States which have repealed all compulsory Sunday observance laws, and guarantees religious liberty to all citizens alike. Arizona, California, Wyoming, Oregon, and the District of Columbia are unique in that respect. In these States only is complete separation of church and state and full liberty of conscience permitted without State interference.



## Mayor Elected on Sunday Law Repeal Issue

AT the April election held in Pomona, California, the repeal of the Sunday observance ordinance was the real issue involved. The Ministerial Association of the city of Pomona supported one of the ministers of the Federation of Churches as their candidate for mayor. The liberal element of the city indorsed a liberal candidate for mayor, who pledged himself in favor of the repeal of the Sunday observance ordinance of the city of Pomona, passed by a previous city council.

The Ministerial Association sent a questionnaire to each candidate for public office, sounding him out on the Sun-



day observance issue. The political preachers and the liberals fought a bitter battle over this issue just before the election, and the liberal candidates were elected with fair majorities over the ministerial candidates.

The following open letter was addressed to the Ministerial Association just before election, and published in the Pomona newspapers under date of April 3, 1932, by a citizen of Pomona, and it had much to do with the defeat of the Sunday ordinance:

"GENTLEMEN: I have read your questionnaire sent out to the candidates for election to the various offices of the city. In the interest of good and free government, I would like to offer the following suggestions in answer to the questionnaire:

"In the first place I want it understood that I am not a candidate for any office nor am I speaking for any candidate, but I am speaking simply in the interest of good government, and to educate the people in the principles on which this Republic was built and has grown to its present dignity and power.

"Second. I do not believe that you represent the majority of the Christian people of this city. It is not possible that the Christian people would want to turn the affairs of the city over to any set of men who would subscribe to your ideas.

"Third. It is not the functions of the civil government to enforce your church discipline. If your pews were empty during the horse race, you should discipline your own members, and not call on the officials to do it. The mayor is the servant of all the people, and not of the church members only. It is his duty to see that the unbeliever has equal rights with the believer. The mayor has no more right to stop the horse race on Sunday in favor of the church, than he has to stop the prayer meeting on Wednesday night in favor of the horse race. What is good for the goose is also good for the gander. But the amusement houses are not asking the mayor to stop the churches from competing with them on Wednesday night.

"Fourth. It is the duty of the civil government to punish men for crime. Horse racing is not a crime; if it were, you would ask that it be stopped on Monday and every day in the week. A thing that is fundamentally wrong in itself cannot be righted short of a complete destruction of the thing. But the fact that you only ask that it be stopped on Sunday proves that you do not want to destroy the thing, but simply protect the day so as to fill your pews with listeners. But such tactics will never

fill your pews. Go into your closet and shut the door, and make your church a center of spiritual power, and the people will be there to receive the bread of life from your hand. We are all hungry for it.

"Fifth. Sunday is a religious institution. And any legislation whatsoever in its favor, is religious legislation. What is a crime on Sunday is also a crime on Monday. Why do you not ask the mayor to suppress bootlegging on Sunday only? Simply because you recognize that bootlegging is a crime every day of the week, and should be suppressed. This is the proper function of government.

"Sixth. Sixty-two per cent of the people of the United States do not belong to any church at all; I suppose that Pomona is not an exception to the rule. Of the thirty-eight per cent who belong to the church, a large number are disinterested and do not attend, although their names are on the church record. Yet you ask the candidates for office to pledge themselves to a program dictated by about 20 per cent of the people; and I am convinced that of that 20 per cent there would be a large number of the faithful who are American enough not to subscribe to your program. Any candidate who would submit to such a program would never get into office.

"Seventh. The fact that the majority of the people were at the horse race proves that that is what they want. Had they been interested in your preaching, they would have been there and not at the race. Now that you ask the civil authorities to stop this competition, is a confession of weakness that any red-blooded American should hesitate to sign. Everybody wants to find God and comfort to the soul. If you preach Christ, He will draw all men to Himself, and your pews will be full and your religion will stand on its own merits, without the aid of public officials. Send your petitions to God, and not to the mayor, and keep religion in its rightful place.

"Eighth. Have you forgotten that only a few months ago the people of California voted on the barbers' Sunday bill in a referendum, and defeated it by a majority of 833,393 votes? No government of the people, by the people, and for the people could exist long in this country under your program.

"Your second question asks that the candidate set up a censorship committee to protect the youth from seeing films and reading literature which is not in harmony with community standards and morals.

"Who is going to say what the community standards and morals are in regard to reading matter, since nearly every home has different standards? Do we not already have laws enacted which prohibit the distribution of immoral literature or the showing of films of the same character? Why do you not exercise your

rights in the courts, and prosecute the men who are corrupting the morals of the youth?

"We do not need a censorship committee. The press has always been the strongest defender of American liberty, and we want to keep it free from censorship committees.

"It seems difficult to believe that after so many years of schooling in the ideas of American liberty, men should want to revert back to the Dark Ages, when it was a crime for a man to kiss his wife on Sunday and a censorship was set up over everything a man should say or write.

"Since these public officials are paid by the tax money of the unbelievers as well as of the believers, would it not be better for those of us who have been ordained to preach the gospel to go back to the work of reconciling men to God, to visiting the sick, the widow, and the orphan in their distress, to praying for the backslider and the lost; and leave these public officials to function free in the interest of all the people?

"I wish to restate that I am not a candidate for any office nor am I speaking for any candidate. I am a church member in regular standing. I was not at the horse race on Sunday. I am a father of grown children, and do not ask any censorship of their literature; I do that myself. I do not ask any censorship of their films; we do not attend. I believe that these questions should be handled in the home; that the preacher should preach the gospel; that the public official should be the servant of all the people, the unbeliever as well as the believer. They should see to it that the churches are unmolested, and leave them free to take care of themselves."

## Truth and Faith

J. LINCOLN NEWHALL

*Congressman, Sixth District, Kentucky*

THE Master, when He taught in Galilee,  
Taught, "Know the truth; the truth shall make  
you free."

Yet some there be who look at truth askance,  
Reluctantly accept it, lest, perchance,  
It might destroy their faith in sacred lore,  
And creeds and dogmas cherished heretofore.

What, more divine than truth, can truth de-  
stroy?

What, more divine than truth, can faith em-  
ploy?

Truth is to faith as reinforcement steel,  
And makes of faith a force divinely real;  
For truth, in your religious faith or mine,  
Is all of it that makes that faith divine.

SECOND QUARTER

## News and Comment

STATESVILLE, North Carolina, makes it a crime for one man to shave another man on Sunday, even if one neighbor shaves another. This is a case where religious fanaticism has gone mad.

THE people of Fort Smith, Arkansas, by popular referendum voted in favor of Sunday motion pictures. Heretofore the shows were given each Sunday by paying a fine each week. Now they are given legally. Other cities in Arkansas allow shows to operate each Sunday without exacting a fine.

THE *Washington Post* of February 9 carried an item to the effect that Ennis H. Coale, who is back at the University of Maryland, after the decision rendered by Judge Ulman as reported in this issue of *LIBERTY*, is having a difficult time. The *Post* says that "the university officials are unforgiving toward Coale," and that the "reception of the youth indicated that he espoused an unpopular cause. There was delay about the assignment of his room in the dormitory. Two students flatly refused to share a room with him."

Whether Coale was right or wrong in refusing to take military training, he is perfectly right in standing for his religious convictions. It isn't one's opinions that are sacred; it is the right to have them that must be safeguarded, if real liberty is to continue in America.

JUDGE E. E. EVERETT, of Common Pleas Court, Allen County, Ohio, according to an Associated Press dispatch of February 8, granted citizenship to Prof. John P. Klassen, of Bluffton College, in the face of the latter's refusal to take the oath to bear arms in defense of his country. By so doing, Judge Everett challenged the decision of the Supreme Court of the United States in the celebrated *MacIntosh* and *Bland* cases.

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He said, "This case was a little different, so I concluded I would not follow the Supreme Court." The applicant was beyond military age. "The Constitution provides for religious liberty," continued Judge Everett; "then we make rules that all citizens must bear arms. In a case like this, the rule is contrary to the Constitution's guaranty of religious freedom."



THE city council of Evanston, Illinois, on February 7, overrode the mayor's veto of an ordinance permitting Sunday movies by a vote of 11 to 5. This North Shore suburb of Chicago always enforced the Sunday laws very strictly. From now on Evanston will have Sunday movies.



### Sparks From the Editor's Anvil

THE mortal who has no fear of God or man scoffs at all restraints.

GOD has appointed no man or set of men to defend His honor or to avenge His injuries.

THE hand that is intrusted with a "big stick" is always tempted to wield it oppressively.

FORCING the conscience in religious matters injures rather than promotes the cause of true religion.

THE greatest purity and power in religion exists where religion and government are completely divorced.

AN ambitious and arrogant hierarchy is not noted for its piety, but for its greed for power and its abuse of it.

RELIGIOUS intolerance is a vice denounced by every sect while feeble, but practiced by all when intrusted with power.

THE clergy are always the prime movers back of an agitation to have the state buttress religion with legal sanctions and enactments.

THE advocates of any religious sect, however numerous, who ask the state for exclusive immunities and special privileges under the law, reveal sinister motives and evil designs against all other sects.

WHEN religion wields the civil scepter, the halls of legislation are transformed into courts of inquisition, and the scaffolds are stained with the blood of martyrs.

THE religious legalist is never satisfied until he has placed his dissenting brother under the sword of Damocles suspended by a hair.

THE civil government has no right to fetter the conscience, or to deprive a single individual of his religious rights.

SOME have too much sail and others too much ballast to steady the ship or to make it ride safely through a storm.

DESPOTS and bigots want religion prescribed by law and liberty buried in the black shroud of gloom.

THE vice of the virtuous and pious is their spirit of intolerance toward the dissenter.

A POLITICIAN is one who plays politics with the public weal and woe.

AN idea is not sound in theory that is not safe in practice.



WE take pleasure in inviting attention both to the appearance and to the contents of this number of LIBERTY. The attractive appearance of the cover will constitute a pleasing invitation to examine the magazine, and we believe that candid readers will not be disappointed with what they find inside the cover. Being, so far as we know, the only magazine of its kind published in America, it is deserving of very wide circulation, and we invite all friends of liberty to co-operate with us in enlarging the sphere of influence of a publication devoted to so worthy a cause.

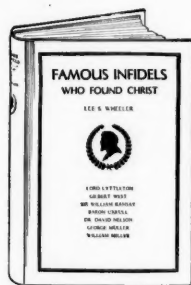






# Famous Infidels Who Found Christ

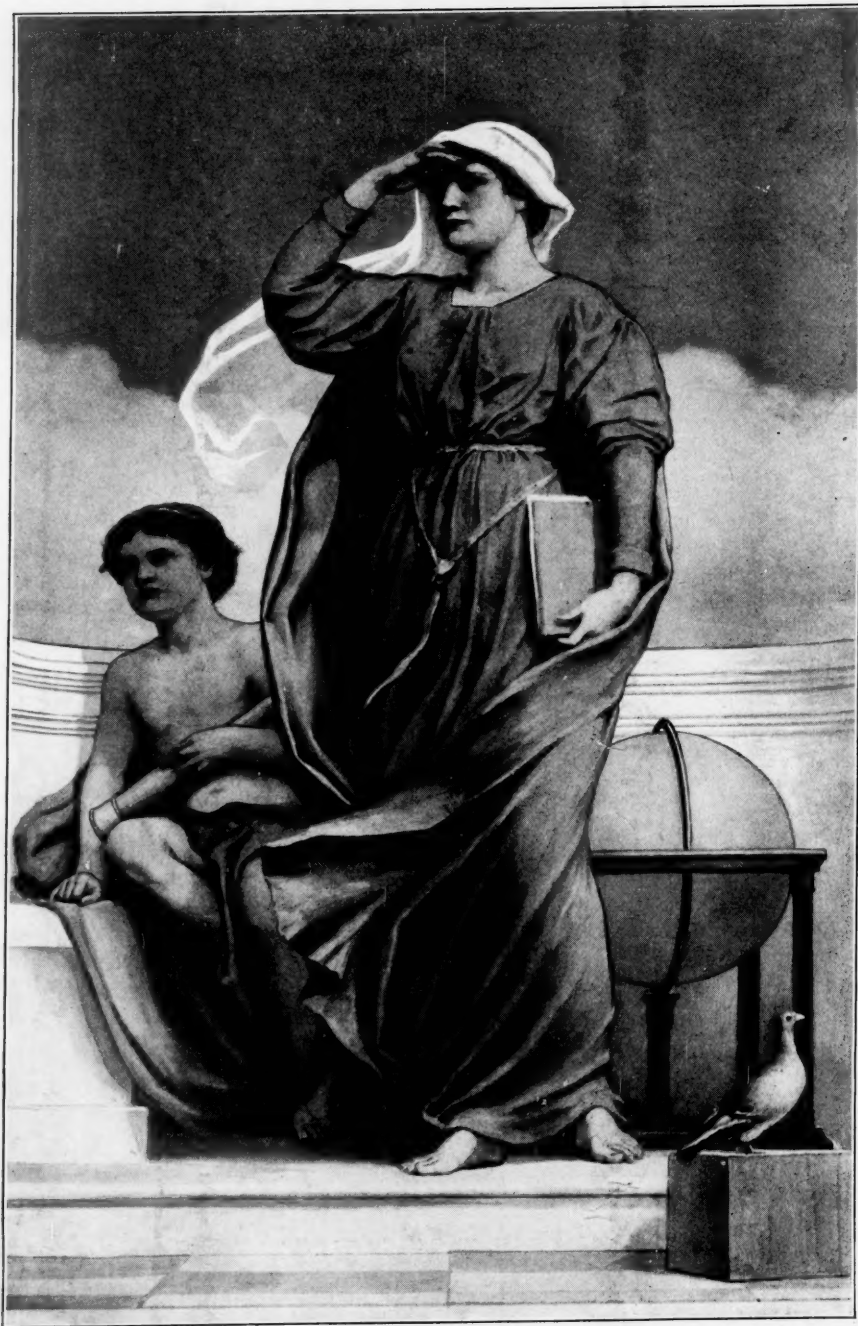
By Lee S. Wheeler



**I**N the eighteenth century, when infidelity seemed to be sweeping the country, two deists took upon themselves, one the task of proving from a legal standpoint the fallacy of believing in Jesus Christ as divine; and the other, that Paul was not the Christian leader he is represented to have been in the Acts and in his epistles. The men studied separately, but each went deeply into his subject, weighing every piece of evidence. Both of the men came to the conclusion, without comparing views, that both Christ and Paul were real men, and that what is written about their work is strictly true. As a result, both of these investigators became Christians, and vigorously defended the fundamentals of the Christian religion in pamphlets giving the summary of their investigations. Their conclusions are faithfully reproduced in Mr. Wheeler's book. Other experiences are given in this interesting work, which show clearly that truth will always triumph,—experiences of men who turned from infidelity and opposition to Christianity, and accepted Christ as their Saviour, so they know whereof they speak. Such testimony is needed today, when the world has turned against the Bible and is repudiating Christ as the divine Son of God.

This intensely interesting book of 185 pages, printed on good paper, in clear, easily read type, has an attractive cloth binding, and is moderately priced at \$1.25.

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AFTER FREDERICK DIELMAN, ARTIST

*Eternal Vigilance Is the Price of Liberty*

